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12 **UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF WASHINGTON**

14 NATIONAL SHOOTING
15 SPORTS FOUNDATION, INC.,

16 Plaintiff,

17 v.

18 ROBERT W. FERGUSON,
19 Attorney General of the State of
20 Washington,

21 Defendant.

NO. 2:23-cv-00113-MKD

[PROPOSED] ORDER
GRANTING DEFENDANT'S
12(b)(1) AND 12(b)(6)
MOTION TO DISMISS
PLAINTIFF'S COMPLAINT

JULY 27, 2023
Without Oral Argument

19 This matter comes before the Court on Defendant Attorney General Robert
20 W. Ferguson's Motion to Dismiss. The Court has considered the parties' briefing;
21 the relevant portions of the record, including the Plaintiff's Complaint and the
22 documents incorporated by reference therein; and the applicable law.

1 It is hereby ORDERED that Defendant's Motion to Dismiss is
2 GRANTED. Plaintiff's Complaint is hereby DISMISSED WITH PREJUDICE;
3 or, in the alternative,

4 It is hereby ORDERED that Defendant's Motion to Dismiss is GRANTED
5 IN PART AND DENIED IN PART. Count One (Preemption) of Plaintiff's
6 Complaint is hereby DISMISSED WITH PREJUDICE.

7 IT SO ORDERED this _____ day of _____ 2023.

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10 THE HONORABLE MARY K. DIMKE
United States District Judge

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12 Presented by:

13 ROBERT W. FERGUSON
14 *Attorney General*

15 NOAH G. PURCELL, WSBA 43492
Solicitor General

16 *s/ Emma Grunberg*
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CERTIFICATE OF SERVICE

I hereby certify that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System which will serve a copy of this document upon all counsel of record.

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 1st day of June, 2023, at Olympia, Washington.

s/ Leena Vanderwood
LEENA VANDERWOOD
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